Automey's Docket No.: 11030-008004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yulun Wang et al.

Art Unit : 2635

Serial No.: 10/666,922

Examiner: E. Holloway III

Filed

: September 18, 2003

Title

: GENERAL PURPOSE DISTRIBUTED OPERATING ROOM CONTROL

**SYSTEM** 

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(c)

Pursuant to 37 CFR §3.73(b), Intuitive Surgical Inc., a Delaware corporation, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of:

A chain of title from the inventors of the patent application identified above, to the current assignee as shown below:

- From Yulun Wang, Charles S. Jordan, Darrin R. Uecker, and Charles C. Wooters to Computer Motion Inc. The document was recorded in the Patent and Trademark Office at Reel 8563, Frame 0793.
- From Computer Motion Inc. to Agility Capital LLC. The document was 2. recorded in the Patent and Trademark Office at Reel 013735, Frame 0705.
- From Agility Capital LLC to Computer Motion Inc. The document was recorded in the Patent and Trademark Office at Reel 014567, Frame 0702.
- From Computer Motion Inc. to Intuitive Surgical, Inc. The document was 4. recorded in the Patent and Trademark Office at Reel 015370, Frame 0799.

The undersigned has reviewed all the documents in the chain of title of the aboveidentified application and to the best of undersigned's knowledge and belief, title is in the assignee identified above.

			CERTIFICATE OF TRANSMISSION BY PACSIMILIB	
6/13/2005 STEU	MEL1 00000071 061050 106669	I hereby certify that this correspondence is being fransmi	itted b	
1 FC:1814	130.00 DA	Ineximite to the Patent and Trademark Office on the date it	ווימולטנים	
	RECE	VED June 10, 2005		
•	OIPE	Unic of Transmission		
	11.161 -	2 Joyce E. Abria		
	JUN 1 3 2000	3 2000 Signature		
		Joyce E. Abriam		
		Typed or Printed Name of Person Signing Certificate		

Applicant: Yulun Wang Attorney's Docket No.: 11030-008004

Serial No.: 10/666,922
Filed: September 18, 2003

Page: 2 of 3

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(c), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. Patent No. 6,642,836, whereby the patent granted on this application and U.S. Patent No. 6,642,836 will expire on the same day, provided that any patent granted on the above-identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,642,836.

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,642,836 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 6,642,836.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors, or assigns.

Please charge the \$130 fee required by 37 CFR §1.20(d) to Deposit Account No. 06-1050.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Applicant: Yulun Wang Serial No.: 10/666,922

Filed: September 18, 2003

Page : 3 of 3

Attorney's Docket No.: 11030-008004

INTUITIVE SURGICAL INC.

Date: 06/06/05

Frank Nguyen Title: Counsel

Customer No.: 26182 Fish & Richardson P.C. 500 Arguello Street, Suite 500 Redwood City, California 94063 Telephone: (650) 839-5070 Facsimile: (650) 839-5071

50280456.doc